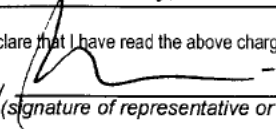


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 32-CB-184551	Date Filed 09/19/2016

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name National Production Workers Local 707		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) 1420 Kensington Road, Suite 335 Oak Brook, IL 60523		d. Tel. No. (630) 575-0560	e. Cell No.
		f. Fax No. (630) 575-0570	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(a) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the prior six months, Production Workers Local 707 has restrained and coerced employees in the exercise of their Section 7 rights by threatening employees with retaliation for failing to join or support Local 707.			
3. Name of Employer RMS/Pacific Rail Services		4a. Tel. No.	b. Cell No. (973) 390-1033
		c. Fax No. (973) 729-8438	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) Union Pacific Intermodal Facility 1776 Middle Harbor Road, Oakland, CA 94607		6. Employer representative to contact David Mazella, VP of Term. Ops	
7. Type of establishment (factory, mine, wholesaler, etc.) Rail Services	8. Identify principal product or service Rail Services	9. Number of workers employed 24	
10. Full name of party filing charge International Brotherhood of Teamsters Local 70		11a. Tel. No. (510) 569-9317	b. Cell No.
		c. Fax No. (510) 569-1906	d. e-Mail ibt70@teamsterslocal70.org
11. Address of party filing charge (street, city, state and ZIP code.) 400 Roland Way, Oakland, CA 94621			
12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By <u></u> Sheila K. Sexton, Attorney (signature of representative or person making charge) (Print/type name and title or office, if any) Beeson, Tayer & Bodine Address 483 - 9th Street, 2nd Flr, Oakland, CA 94607 (date) 9/19/16		Tel. No. (510) 625-9700	
		Cell No.	
		Fax No. (510) 625-8275	
		e-Mail ssexton@beesontayer.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 32
1301 Clay St Ste 300N
Oakland, CA 94612-5224

Agency Website: www.nlrb.gov
Telephone: (510)637-3300
Fax: (510)637-3315



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September 19, 2016

(b) (6), (b) (7)(C)

NATIONAL PRODUCTION
WORKERS UNION LOCAL 707
1420 KENSINGTON RD STE 335
OAK BROOK, IL 60523-2147

**Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551**

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (510)671-3024. If this Board agent is not available, you may contact Supervisory Field Examiner Hokulani Valencia whose telephone number is (510)671-3047.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

September 19, 2016

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.


We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "George Velastegui". The signature is written in a cursive, flowing style.

George Velastegui
Regional Director

Enclosure: Copy of Charge



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 32
1301 Clay St Ste 300N
Oakland, CA 94612-5224

Agency Website: www.nlr.gov
Telephone: (510)637-3300
Fax: (510)637-3315



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September 19, 2016

DAVID MAZELLA, VP OF TERM. OPS
RMS/PACIFIC RAIL SERVICES
UNION PACIFIC INTERMODAL FACILITY
1776 MIDDLE HARBOR ROAD
OAKLAND, CA 94607

**Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551**

Dear Mr. Mazella:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (510)671-3024. If this Board agent is not available, you may contact Supervisory Field Examiner Hokulani Valencia whose telephone number is (510)671-3047.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

September 19, 2016

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at a hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. On all your correspondence regarding the charge, please include the case name and number indicated above.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures*, offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



George Velastegui
Regional Director

Enclosures

1. Copy of Charge
2. Commerce Questionnaire

cc: DAVID MAZELLA, VP OF TERM. OPS
RMS/PACIFIC RAIL SERVICES
119 SENECA LAKE RD
SPARTA, NJ 07871-2840



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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September 19, 2016

(b) (6), (b) (7)(C)

TEAMSTERS LOCAL 70, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
400 ROLAND WAY
OAKLAND, CA 94621-2012

**Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551**

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on September 19, 2016 has been docketed as case number 32-CB-184551. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (510)671-3024. If this Board agent is not available, you may contact Supervisory Field Examiner Hokulani Valencia whose telephone number is (510)671-3047.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

September 19, 2016

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,


A handwritten signature in black ink that reads "George Velastegui". The signature is written in a cursive, flowing style.

George Velastegui
Regional Director

cc: SHEILA K. SEXTON, ESQ.
BEESON, TAYER & BODINE
483 - 9TH STREET 2ND FLOOR
OAKLAND, CA 94607-4051

Copy of charge only sent to:

DAVID A. ROSENFELD, ESQ.
WEINBERG ROGER & ROSENFELD
1001 MARINA VILLAGE PKWY. STE. 200
ALAMEDA, CA 94501-6430

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		32-CB-184551	12/12/2016
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name NATIONAL PRODUCTION WORKERS UNION, LOCAL 707		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 1420 Kensington Rd Ste 335, Oak Brook, IL 60523-2147		d. Tel. No. (630)575-0560	e. Cell No.
		f. Fax No. (630)575-0570	g. e-Mail (b)(6), (b)(7)(C)
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Within the past six months, the above-named labor organization, NPWU Local 707, has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by receiving and accepting assistance from the involved employer, RMS/Pacific Rail Services, and by making promises of benefits to employees if they supported, joined, or became members of NPWU Local 707.</p>			
3. Name of Employer RMS/Pacific Rail Services		4a. Tel. No. (973)390-1033	4b. Cell No. (973)390-1033
		4c. Fax No. (973)729-8438	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) Union Pacific Intermodal Facility, 1776 Middle Harbor Road, Oakland, CA 94607		6. Employer representative to contact David Mazella, VP of Term. Ops	
7. Type of Establishment (factory, mine, wholesaler) Port	8. Principal product or service Rail Services	9. Number of Workers employed 24	
10. Full name of party filing charge INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 70		11a. Tel. No. (510)569-9317	11b. Cell No. (510)406-3688
		11c. Fax No. (510)569-1906	11d e-Mail ibt70@teamsterslocal70.org
11. Address of party filing charge (street, city, state, and ZIP code) 400 Roland Way, Oakland, CA 94621-2012			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By:  (signature of representative or person making charge)	Sheila Sexton, Attorney	Tel No. (510) 625-9700	
		Cell No.	
	Print/type name and title or office, if any	Fax No. (510) 625-8275	
Address: Beeson, Tayer & Bodine 483 9 th Street, 2 nd Floor, Oakland, CA 94607		Date: 12/12/16	e-Mail ssexton@beesonayer.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 32
1301 Clay St Ste 300N
Oakland, CA 94612-5224

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Telephone: (510)637-3300
Fax: (510)637-3315



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December 12, 2016

(b) (6), (b) (7)(C)

NATIONAL PRODUCTION WORKERS UNION, LOCAL 707
1420 KENSINGTON RD STE 335
OAK BROOK, IL 60523-2147

**Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551**

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (510)671-3024. If the agent is not available, you may contact Supervisory Field Examiner Hokulani Valencia whose telephone number is (510)671-3047.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

Cynthia Rence

Cynthia Rence
Acting Regional Director

Enclosure: Copy of first amended charge



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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Oakland, CA 94612-5224

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December 12, 2016

DAVID MAZELLA, VP OF TERM. OPS
RMS/PACIFIC RAIL SERVICES
UNION PACIFIC INTERMODAL FACILITY
1776 MIDDLE HARBOR ROAD
OAKLAND, CA 94607

**Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551**

Dear Mr. Mazella:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (510)671-3024. If the Board agent is not available, you may contact Supervisory Field Examiner Hokulani Valencia whose telephone number is (510)671-3047.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, if the Board agent asks you for evidence with respect to the allegations in the first amended charge, I urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

Cynthia Rence
Acting Regional Director

Enclosure: Copy of first amended charge

cc: DAVID MAZELLA, VP OF TERM. OPS
RMS/PACIFIC RAIL SERVICES
119 SENECA LAKE RD
SPARTA, NJ 07871-2840



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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1301 Clay St Ste 300N
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December 12, 2016

(b) (6), (b) (7)(C)

TEAMSTERS LOCAL 70, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
400 ROLAND WAY
OAKLAND, CA 94621-2012

**Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551**

Dear (b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (510)671-3024. If the agent is not available, you may contact Supervisory Field Examiner Hokulani Valencia whose telephone number is (510)671-3047.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

Cynthia Rence
Acting Regional Director

cc: SHEILA K. SEXTON, ATTORNEY
BEESON, TAYER & BODINE
483 - 9TH STREET 2ND FLOOR
OAKLAND, CA 94607-4051

National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551

- 2 -

December 12, 2016

Copy of charge only sent to:

DAVID A. ROSENFELD, ESQ.
WEINBERG ROGER & ROSENFELD
1001 MARINA VILLAGE PKWY. STE. 200
ALAMEDA, CA 94501-6430

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does

not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees and Members, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees and Members. The Board may then, without necessity of trial or any other proceeding, find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board Order ex parte, after service or attempted service upon Charged Party at the last address provided to the General Counsel.

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party NATIONAL PRODUCTION WORKERS UNION, LOCAL 707	Charging Party INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 70
By: Name and Title Date 12/21/16 /s/ (b) (6), (b) (7)(C) Print Name and Title below (b) (6), (b) (7)(C)	By: Name and Title Date 12/28/16 /s/ Sheila Sexton Print Name and Title below
Recommended By: Date 12/21/16 /s/ ALEXANDER M. HAJDUK Field Examiner	Approved By: Date 12/29/16 /s/ VALERIE HARDY-MAHONEY Acting Regional Director, Region 32

(To be printed and posted on official Board notice form)

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with your employer on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT receive and/or accept any form of assistance or support from RMS/Pacific Rail Services (Employer), and our representatives will not be present during the Employer's job interviews with prospective employees or talk to those prospective employees after the job interviews.

WE WILL NOT ask employees employed by the Employer to sign authorization cards for us and/or become a member of our union while those employees are in the presence of the Employer's representatives.

WE WILL NOT tell employees that by signing authorization cards and/or becoming a member of our union they will secure employment or more favorable terms with the Employer.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

**NATIONAL PRODUCTION WORKERS UNION,
LOCAL 707**

(Labor Organization)

Dated: _____ **By:** _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-866-667-NLRB

(1-866-667-6572). Hearing impaired persons may contact the Agency's TTY service at 1-866-315-NLRB. You may also obtain information from the Board's website: www.nlr.gov.

1301 Clay St Ste 300N
Oakland, CA 94612-5224

Telephone: (510)637-3300
Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.



NOTICE TO MEMBERS AND EMPLOYEES



POSTED PURSUANT TO A SETTLEMENT AGREEMENT APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD AN AGENCY OF THE UNITED STATES GOVERNMENT

Case: 32-CB-184551

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union
- Choose representatives to bargain with us on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT receive and/or accept any form of assistance or support from RMS/Pacific Rail Services (Employer), and our representatives will not be present during the Employer's job interviews with prospective employees or talk to those prospective employees after the job interviews.

WE WILL NOT ask employees employed by the Employer to sign authorization cards for us and/or become a member of our union while those employees are in the presence of the Employer's representatives.

WE WILL NOT tell employees that by signing authorization cards and/or becoming a member of our union they will secure employment or more favorable terms with the Employer.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

**NATIONAL PRODUCTION WORKERS LOCAL 707
(RMS/PACIFIC RAIL SERVICES)**

(Employer)

Date: JAN 19, 2017

By: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and union. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to an agent with the Board's Regional Office set forth below. You may also obtain information from the Board's Website: www.nlr.gov and the toll-free number (866) 667-NLRB (6572).

1301 Clay Street, Suite 300N
Oakland, CA 94612-5211

Telephone: (510) 637-3300
Hours of Operation: 8:30 a.m. to 5:00 p.m.

Si quiere, se puede hablar en español con un agente de La Junta Nacional de Relaciones del Trabajo en confianza. La página electrónica de red de la Junta Nacional de Relaciones del Trabajo también tiene información en español: www.nlr.gov y el número libre de cargo es (866) 667-NLRB (6572).

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CERTIFICATION OF COMPLIANCE
(PART ONE)

RE: National Production Workers Local 707 (RMS/Pacific Rail Services)
Case 32-CB-184551

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

Physical Posting

The signed and dated Notice to Employees and Members in the above matter was posted on

(date) JANUARY 19, 2017 at the following locations: (List specific places of posting)

MPWV OFFICE, 1420 KENSINGTON ROAD SUITE 335
OAK BROOK, IL 60523

Intranet Posting

The signed and dated Notice to Employees and Members in the above matter was posted on the Union's Intranet/Website on (date) _____. A copy of the intranet/website posting is attached.

Electronic Distribution

The signed and dated Notice to Employees and Members in the above captioned matter was distributed electronically on (date) _____ by the following means. (State means of distribution and attach proof.) _____

Mailing

The signed and dated Notices to Employees and Members in the above captioned matter were mailed to the Region on (date) _____ for distribution to employees.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

By: (b) (6), (b) (7)(C)
Title: (b) (6), (b) (7)(C)
Date: JANUARY 19, 2017

This form should be returned to the Regional Office, together with ONE original Notice, dated and signed in the same manner as those posted, and SIX additional original Notices, dated and signed in the same manner as those posted for the mailing to the employees. If the Certification of Compliance Part One and signed Notice are returned via e-file or e-mail, no hard copies of the Certification of Compliance Part One or Notice are required. Note: The SIX Notices that are to be mailed to employees must be sent to the Region via US Mail.



NOTICE TO MEMBERS AND EMPLOYEES



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Case: 32-CB-184551

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**NATIONAL PRODUCTION WORKERS LOCAL 707
(RMS/PACIFIC RAIL SERVICES)**

(Employer)

Date: JAN 19, 2017

By: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 32
1301 Clay St Ste 300N
Oakland, CA 94612-5224

Agency Website: www.nlrb.gov
Telephone: (510)637-3300
Fax: (510)637-3315

Agent's Direct Dial: (510)671-3034

February 1, 2017

SHEILA K. SEXTON, ATTORNEY
BEESON, TAYER & BODINE
483 - 9TH STREET
2ND FLOOR
OAKLAND, CA 94607-4051

Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551

Dear Ms. Sexton:

We have been advised that on January 19, 2017, the Charged Party Union posted the signed and dated Notice to Employees and Members in this matter at the following location:

- (1) MPWV Office,
1420 Kensington Road, Suite 335
Oakbrook, IL, 60523

If you have any information to the contrary, you should inform me promptly. As you know, the Charged Party Union is obligated to keep the notices posted continuously for a period of 60 days from the date of posting.

Any complaints regarding posting or any other aspects of compliance in this matter should be promptly directed to this office, in writing, together with any evidence you may have.

Per request, I am also enclosing a copy of the signed and dated Notice.

Very truly yours,

/s/ Paloma Loya

PALOMA LOYA
Compliance Officer

Enclosure: Notice to Employees and Members



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 32
1301 Clay St Ste 300N
Oakland, CA 94612-5224

Agency Website: www.nlrb.gov
Telephone: (510)637-3300
Fax: (510)637-3315

Agent's Direct Dial: (510)671-3034

March 30, 2017

SHEILA K. SEXTON, ATTORNEY
BEESON, TAYER & BODINE
483 - 9TH STREET, 2ND FLOOR
OAKLAND, CA 94607-4051

Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551

Dear Ms. Sexton:

Our records show that the Charged Party has complied with the terms of the Settlement Agreement and the case is now ready to be closed. Unless you advise us and submit evidence by April 6, 2017 that the Settlement Agreement has not been complied with, I will assume that you are satisfied with the compliance by the Charged Party and will recommend the case be closed.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Paloma Loya", is positioned above the typed name.

PALOMA LOYA
Compliance Officer

cc: (b) (6), (b) (7)(C)
TEAMSTERS UNION LOCAL 70,
INTERNATIONAL BROTHERHOOD

400 ROLAND WAY
OAKLAND, CA 94621-2012



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 32
1301 Clay St Ste 300N
Oakland, CA 94612-5224

Agency Website: www.nlrb.gov
Telephone: (510)637-3300
Fax: (510)637-3315

April 10, 2017

SHEILA K. SEXTON, ATTORNEY
BEESON, TAYER & BODINE
483 - 9TH STREET
2ND FLOOR
OAKLAND, CA 94607-4051

(b)(6), (b)(7)(C)

TEAMSTERS UNION LOCAL 70,
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS
400 ROLAND WAY
OAKLAND, CA 94621-2012

Re: National Production Workers Local 707
(RMS/Pacific Rail Services)
Case 32-CB-184551

Dear Ms. SEXTON and (b)(6), (b)(7)(C) :

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

/s/ Valerie Hardy-Mahoney

Valerie Hardy-Mahoney
Regional Director

cc: (b) (6), (b) (7)(C)
NATIONAL PRODUCTION WORKERS
UNION, LOCAL 707
1420 KENSINGTON RD STE 335
OAK BROOK, IL 60523-2147

PATRICK J. CALIHAN, ESQ.
LAW OFFICES OF PATRICK J.
CALIHAN
53 W. JACKSON BLVD.
SUITE 1534
CHICAGO, IL 60604

DAVID MAZELLA, VP OF TERM. OPS
RMS/PACIFIC RAIL SERVICES
UNION PACIFIC INTERMODAL
FACILITY
1776 MIDDLE HARBOR ROAD
OAKLAND, CA 94607

DAVID MAZELLA, VP OF TERM. OPS
RMS/PACIFIC RAIL SERVICES
119 SENECA LAKE RD
SPARTA, NJ 07871-2840